

illustrating the above amendments is submitted herewith in the enclosed Appendix Showing Amendments to Claims 1-3. Based on the above amendments and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that the rejections be withdrawn.

Objections to Drawings

In the Office Action, the drawings were objected to because they included reference signs not mentioned in the description. Applicants have amended the specification to include those reference numerals previously identified in the drawings, but not in the specification. The amendments to the specification are identified in the enclosed Appendix Showing Amendments to the Specification. These amendments do not constitute new matter since they merely conform the specification to that which was already disclosed in the original drawings. Thus, Applicants respectfully submit that the objections to the drawings have been overcome.

Applicants submit herewith a Request for Approval of Drawing Change to remedy a minor informality in Figure 1. Applicants respectfully request the Examiner's approval of this proposed drawing change.

Claim Objections

In the Office Action, claims 1 and 2 were objected to because of minor informalities. Applicants have amended claims 1 and 2 to correct minor typographical errors in those claims. Applicants respectfully submit that the objections to claims 1 and 2 have been overcome and request that the objections be withdrawn.

Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, claims 1-3 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,732,398 to Tagawa (“*Tagawa*”) in view of the article entitled “Red Roof Inns Implements High-Tech Revenue Management System” (*Red Roof*).

The Office Action recites that *Tagawa* teaches a “method for determining a room rate for a guest” and a “method/system to assist a user (e.g. guest) in searching for and reserving hotel accommodations.” The Office Action also states that *Tagawa* “**does not specifically teach that room rate is based on a comparison between guest information and historical information associated [with] similar guests, and a comparison between said first room request and a forecast of demand of a similar request, said forecast of demand based on historical data.**”

The Office Action recites that *Red Roof* teaches “the use of a revenue management system for hotel reservations that analyzes (i.e., compares) current and historical data on room requests and guest occupancy (i.e., guest information) to forecast room demand and to determine room rates.” The Office Action states that *Red Roof* “**does not specifically teach that the historical data used in the analysis is data associated with similar guests.**”

The Office Action continues with “at that time of the Applicants’ invention, it would have been obvious to one of ordinary skill in [the] art to base the demand and costs analysis (i.e. comparison) on historical data from similar guests. One would have been motivated to do this to ensure that the analysis and resulting demand forecast would be as detailed and accurate as possible.”

Applicants respectfully submit that the rejection of claim 1 is improper for at least the following reasons. As set forth in M.P.E.P. §2143, one of the criteria for a *prima facie* case of

obviousness is that “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981 (CCPA 1974).

As set forth above, the Office Action states that *Tagawa* and *Red Roof*, taken alone or in combination, fail to teach or suggest at least one of the elements recited in claim 1. Further, the Office Action simply states that the missing elements of claim 1 are obvious to one skilled in the art without referring to or finding support for any teaching or suggestion from the *Tagawa* and *Red Roof* references for the missing elements.

Applicants respectfully submit that *Tagawa* and *Red Roof*, taken alone or in proper combination, fail to teach or suggest the invention as recited in claim, including at least, “determining a first room rate for said first guest based on a comparison between said guest information and historical information associated with similar guests and a comparison between said first room request and a forecast of demand for a similar request, said forecast of demand based on historical data.” Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn and respectfully submit that independent claim 1 is patentable over the prior art of record.

As for claims 2 and 3, the outstanding rejections are deficient on their face since in each instance, the Examiner acknowledges shortcomings in the references and does not address these shortcomings.

Regarding claim 2, the Office Action states that it “is unclear from *Tagawa* and *Red Roof* whether the room rate that is determined is based on similar room request data (data similar

among different guests) and whether the room rate for a similar room request differs from guest to guest.” Applicants respectfully submit that dependent claim 2 is patentable over the prior art of record for its dependency from claim 1, and for the additional features that it recites.

Regarding claim 3, the Office Action states that “it is unclear from *Tagawa* and *Red Roof* whether the room rate that is determined is based on similar guest information (data similar among different guests) and whether the room rate may differ for similar guest(s).” Applicants respectfully submit that dependent claim 3 is patentable over the prior art of record for its dependency from claim 1, and for the additional features that it recites.

New Claims 4-21

Applicants have added new dependent claims 4-10. Applicants respectfully submit that dependent claims 4-10 are patentable over the prior art for their dependency, directly or indirectly, from claim 1, and for the additional features that they recite.

Applicants have added new independent claim 11. Applicants respectfully submit that the prior art of record fails to teach or suggest the invention as recited in claim 11. Applicants have also added new dependent claims 12-21, which depend from independent claim 11. Applicants submit that claims 12-21 are patentable over the prior art of record for their dependency from claim 11, and for the additional features that they recite.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections, that they be withdrawn, and that pending claims 1-21 be

allowed. The Examiner is invited to telephone the undersigned representative if any further action is required to place this application in condition for allowance.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

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Enclosures: Appendix Showing Amendments to the Specification
Appendix Showing Amendments to Claims 1-3

Appendix Showing Amendments to the Specification

Please replace the second full paragraph on page 8 of the specification with the following paragraph:

RMS 10 communicates with multiple external databases which store reservations information and transaction results. These external databases 70 include hotel data, reservations data, chain information, inventory information, rate information and the like. RMS 10 communicates with multiple Property Management Systems (PMS) 20 preferably through an Internet connection. Other communications paths are possible including dial-up access and virtual private network access. In a preferred embodiment, each hotel or each chain has a PMS system locally at the property or accessible from the property. Access is through one or more client terminals or locations 30 at the property. Alternatively, the locations 30 can represent multiple hotels in a chain that has a PMS system. The PMS systems function to control and operate local hotel management operations including, for example, the sale of rooms, financial data for the hotel and other aspects of hotel management such as housekeeping room status, etc.

Please replace the last paragraph on page 8 of the specification with the following paragraph:

PMSs 20 and RMS 10 communicate the above information between them as reservations are made and as hotel operations continue. In some cases an interface may be necessary to allow PMS 20 to communicate with RMS 10. In a preferred embodiment, the interface functions by generating HITIS compliant data. In addition to communicating with PMSs 20, RMS 10 communicates with one or more Global Distribution Systems (GDSs) 25 such as SABRE operated by the Sabre Group or a control switch company giving access to each major GDS 25. GDSs 25 provide global access to various Central Reservation Systems. In most cases, only travel agents 35 or other authorized users have access to this system and may make reservations therethrough. However, in some cases, a consumer 40, using a home PC may link through, for example, the Internet, to access the GDS 25 in order to make a reservation. The GDS 25 to RMS

10 connection may be through the Internet or through some form of dedicated line or private network.

Please replace the last paragraph on page 9 with the following paragraph:

Figure 3 illustrates databases that may exist in connection with the GRTMS of the present invention. For example, the RMS databases 250 may include an inventory and pricing database 310, a customer profile database 320, an agent information database and a reservations database 340. These databases and the way they are used is discussed in detail below. Other databases may also be added depending upon the particular implementation and operation desired.

Please replace the second full paragraph on page 10 with the following paragraph:

The system of the present invention preferably provides for direct connection of inventory availability to ~~Internet~~ and Global Distribution Systems. Hotels may reduce their dependence upon representation company reservation systems that provide call center and CRO services as these may be fully performed by staff located in the hotel's reservation center. This new capability to directly book any inventory from one location provides an ability to reduce or eliminate approximately \$14, or some significant percentage of revenue, per reservation which is currently being charged by representation companies. As more guests and travel agents book hotels directly over the Internet, the solution provided by the present invention will provide a further reduction of approximately \$9 per reservation. Hotel chains may also be able to further reduce the burden on individual properties through central management of the approximately 50% of the reservations which are believed to be directly made with the property staff. Finally, corporate relationships with tour, visitor bureau and convention companies will be improved by an ability to provide direct (and possibly electronic) service from the corporate facilities.

Please replace the first full paragraph on page 37 with the following:

The inventory count ~~are-is~~ adjusted only if INVENTORY stay control is YES. An authorized database operator may change certain inventory counters, but these changes are logged in an audit file. All reservation processes that perform booking operations also adjust inventory counts as part of their normal operations. All inventory adjustments regardless of the process involved will take effect immediately. All current inventory counts may be displayed including a log of all manual changes made. Automatic changes to stay controls may result from inventory counts passing a threshold.

Appendix Showing Amendments to Claims 1-3

1. (Amended) A method for determining a room rate for a guest comprising the steps of:
receiving ~~quest-guest~~ information from a first-~~quest guest~~, said ~~quest-guest~~ information including at least one of a name, a market segment, and a point of origin;
receiving a first room request from said first guest, said first room request including at least one of an arrival date, a length of stay, a room feature; and
determining a first room rate for said first guest based on a comparison between said guest information and historical information associated with similar guests and a comparison between said first room request and a forecast of demand for a similar request, said forecast of demand based on historical data.

2. (Amended) The method of claim 1, further comprising the steps of:
receiving ~~quest-guest~~ information from a second guest;
receiving a second room request from said second guest, said second room request similar to said first room request; and
determining a second room rate for said second guest based on a comparison between said guest information and historical information associated with similar guests and a comparison between said second room request and said forecast of demand for a similar request, said first room rate different from said second room rate.

3. (Amended) The method of claim 1, further comprising the steps of:
receiving guest information from a second guest, said guest information from said second guest similar to said guest information from said first guest;
receiving a second room request from said second guest; and
determining a second room rate for said second guest based on a comparison between said guest information and historical information associated with similar guests and a comparison between said second room request and said forecast of demand for a similar request, said first room rate different from said second room rate.